

REMARKS

Applicant has amended claims 1, 3, 4, 10, 12 and 13 and has canceled claims 2, 11, 19 and 20. Accordingly, claims 1, 3-10 and 10-18 as presented are now pending in this application.

In the Official Action, the Examiner rejected claims 1, 5, 7-10, 14 and 16-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,381,402 to Sugita et al. The Examiner, however, indicated that claims 2-4, 6, 11-13 and 15 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Accordingly, Applicant has now amended independent claims 1 and 10 to include all of the limitations of allowable claims 2 and 11 respectively, and has changed the dependencies of dependent claims 3, 4, 12 and 13.

In the Official Action, the Examiner stated that:

Claims 2, 3, 4, 6, 11, 12, 13 and 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.
(emphasis added)

Applicant, however, notes that no such § 112, second paragraph, rejections were made with respect to these dependent claims in the Official Action. Applicant thus assumes that the above statement as to § 112, second paragraph, was made in error.

Finally, it is noted that Applicant submitted Information Disclosure Statements with accompanying forms PTO-1449A on February 26, 2002 and May 29, 2002. While the present Office Action Summary received by Applicant indicated, via a checked box, that there were attachments of Information Disclosure Statement forms, no such attachments were received by

Applicant. Applicant therefore respectfully requests that the Examiner transmit the initialized PTO-1449A forms previously submitted with Applicant's two prior Information Disclosure Statements with the Examiner's next communication to Applicant.

Accordingly, it is respectfully submitted that all of the pending claims are now in condition for allowance and favorable reconsideration and allowance are earnestly solicited.

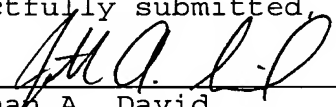
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 18, 2004

Respectfully submitted,

By 
Jonathan A. David
Registration No.: 36,494
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant